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August 17, 2007

BY: Fax  
Honorable Stephen C. Robinson  
United States District Judge  
Southern District of New York  
300 Quarrotas Street  
White Plains, New York 10601

**MEMO ENDORSED**

Re: **Omar Gilcrest v. City of Yonkers, New York, et. al.**  
**07 CV 3117 (SCR):**

**Plaintiff's request to Extend Time To Submit Scheduling Order.**

Your Honor,

I am Counsel to the plaintiff, Mr. Omar Gilcrest in the above caption civil rights action. This case was transferred from the Foley Square District Court to the White Plains District Court on Friday July 6, 2007 per the Honorable District Judge Jed. S. Rakoff.

Process of Service on the defendants was completed on August 2, 2007 (See Exhibit 1: Affirmation of Service). The defendant's response to the complaint was just received on August 10, 2007. As of this date, I have not had an opportunity to consult with defense counsel Mr. Frank Rubino, Corporation Counsel for the City of Yonkers regarding your order requesting the parties submission of a scheduling order including a plan for discovery.

Therefore, I am hereby requesting addition time to confer with Defendant's counsel and to submit a Scheduling Order in compliance with your request. No prior application has been made to this Court regarding this matter.

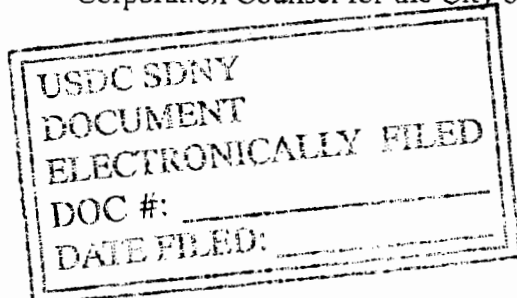
I thank the Court for its time and consideration of this most important matter.

*Time to submit scheduling order is  
hereby extended until Fri., Sept. 28.*

Respectfully Submitted,

*Welton K. Wisham*  
Welton K. Wisham, Esq.  
Attorney for the Plaintiff.

Cc:  
Mr. Frank Rubino  
Corporation Counsel for the City of Yonkers New York



**APPLICATION GRANTED**

*Stephen C. Robinson*

HON. STEPHEN C. ROBINSON

*8/17/07*